

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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IN RE:

Chapter 11
Case No. 23-42029-jmm

MARGARITA ONASSIS PARLIONAS,

Debtor.

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MARGARITA ONASSIS PARLIONAS,

Plaintiff,

Adv. Proc. 23-01092

v.

ATHANASIOS PARLIONAS,

Defendant.

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The Defendant, Athanasios Parlionas, by his attorney Richard A. Klass, Esq., in answering the Complaint of Plaintiff, Margarita Onassis Parlionas, dated October 31, 2023, hereby admit, deny, and allege as follows:

1. Defendant denies the knowledge or information sufficient to form a belief as to the truth or falsity of each and every allegation as contained in paragraphs 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 13, 14, 15, 16, 17, 18, 19, 20, 21, 23, except begs leave of the court to refer to the documents alleged in the respective paragraphs of the Complaint for their meaning, intention and interpretation, if said documents are admitted into evidence on the trial of this action, or if there are no documents alleged in the respective paragraphs of the Complaint, then refer all questions of law to the court.
2. That Defendant admits the allegations contained in paragraph 22.
3. That Defendant denies the allegations contained in paragraph 12 except that the Plaintiff and Defendant are co-owners of the Property as husband and wife.

4. That Defendant denies the allegations contained in Wherefore clause paragraph (c) to the extent that the State Court will adjudicate the rights of the Plaintiff and Defendant in the marital assets in the Divorce Action.

AS AND FOR A FIRST AFFIRMATIVE DEFENSE

5. Plaintiff's claims are barred by res judicata. The Bankruptcy Court has already determined that the State Court will adjudicate the rights of the Plaintiff and Defendant in the marital assets in the Divorce Action.

RESERVATION OF RIGHTS

6. Defendant reserves the right to raise objections to any motion for sale and any fees requested by counsel pursuant to section 363(j).

WHEREFORE, Defendant Athanasios agrees to judgment as follows:

(a) authorizing the Plaintiff to sell the Florida Property free and clear of the Defendant's interest therein;

(b) determining that both the Plaintiff and the Defendant bear the cost and expense, including reasonable fees (as determined by the Court) for sale of the Real Property pursuant to 11 U.S.C. § 363(j);

(c) directing the division of the sale proceeds, after deducting said costs and fees, be subjected to the State Court adjudicating the rights of the Plaintiff and Defendant in the marital assets; and

(d) for such other, further and different relief as this Court may deem just.

Dated: Brooklyn, New York
November 28, 2023

_____/s/_____
RICHARD A. KLASS, ESQ.
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